

BEFORE THE

Federal Communications Commission

WASHINGTON, D. C. 20554

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OFFICE OF SECRETARY

In re Applications of)	MM Docket No. 93-56
)	
CHESTNUT BROADCASTING COMPANY)	File No. BRH-900604YE
)	
For Renewal of License of)	
Station KBER-FM, Ogden, Utah)	
)	
and)	
)	
STREET STRYDER)	File No. BRH-900601A3
)	
For Renewal of License of)	
Station KUJJ-FM, Spanish Fork, Utah)	

To: Administrative Law Judge John Frysiak

MOTION TO AMEND CAPTION


Street Stryder, by his attorneys, hereby requests he and Station KUJJ-FM, Spanish Fork, Utah, be deleted from the caption in this proceeding. Through the attached Memorandum Opinion and Order, DA 94-1173 (released October 26, 1994), Mr. Stryder's application to assign Station KUJJ-FM to Bajamar Broadcasting, L.L.C. on a distress sale basis was granted. As reflected in Bajamar's letter to the Commission of November 15, 1994, a copy of which also is attached, the assignment was consummated on November 15, 1994. Thus, this proceeding may be terminated as to Mr. Stryder and Station KUJJ-FM, and the above caption should be amended accordingly.

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Respectfully submitted,

STREET STRYDER

By 
Harry C. Martin
His Attorney

Reddy, Begley, Martin & McCormick
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Washington, D.C. 20037

November 23, 1994

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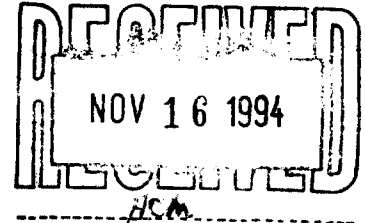
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November 15, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554



Re: KUJJ-FM, Spanish Fork, UT
File No. BALH-940119GE

Dear Mr. Caton:

You are hereby advised that the above-referenced assignment of license of Station KUJJ-FM, Spanish Fork, Utah, from Street Stryder to Bajamar Broadcasting, L.L.C. was consummated on November 15, 1994.

An Ownership Report (FCC Form 323) reflecting the current ownership will be timely filed.

Should further information be desired in connection with this matter, please communicate with this office.

Very truly yours,

Robert L. Olender
Counsel for
BAJAMAR BROADCASTING, L.L.C.

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Minority Ownership in Broadcasting, at 854. Finally, the parties have shown that the sale price for KUJJ-FM is 75% of its fair market value.

5. The parties have submitted two appraisals of the stations by recognized media brokerage firms. One appraisal is by Blackburn & Co., Inc., and the other is by Star Media Group, Inc. Both value the station at \$500,000 on the date of designation of the above-captioned proceeding for hearing. The total consideration to be paid under the sales contract is \$375,000, which is 75% of the appraised value.

6. Stryder will provide seller financing for two-thirds of the \$375,000 purchase price through a promissory note to be executed by Bajamar at closing. The rate of interest on the note is 10%. Both appraisals indicate that this interest rate is reasonable. Moreover, the contract provides that the seller will not retain a right of reversion, and will not have a right to reassignment of the station or a right to use the facilities. Under such circumstances, we do not consider execution of the promissory note to be a bar to approval of distress sale relief in this case.

7. The parties have disclosed all the facts and circumstances regarding the distress sale agreement, including the negotiations relating thereto and the consideration to be exchanged. *KND Corp.*, 48 RR 2d 631, 634 (1980). The assignment application has been processed. The assignee has been found fully qualified to be a Commission licensee.

ORDERING CLAUSES

8. ACCORDINGLY, IT IS ORDERED, That the Petition for Distress Sale Relief filed January 18, 1994, by Street Stryder IS GRANTED; And That the Application for Consent to the Assignment of Station KUJJ-FM from Stryder to Bajamar Broadcasting, L.L.C. (File No. BALH-940119GE) IS GRANTED. IT IS FURTHER ORDERED, That the application for renewal of license of KUJJ-FM (BRH-900601A3) IS GRANTED and this proceeding IS TERMINATED, as it pertains to Stryder and KUJJ-FM only, provided that if the pending assignment to Bajamar is not consummated within 90 days, the action taken herein shall be void and the renewal application for KUJJ-FM will be returned to hearing status.

FEDERAL COMMUNICATIONS COMMISSION

Roy J. Stewart
Chief, Mass Media Bureau

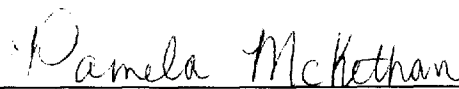
CERTIFICATION OF SERVICE

I, Pamela R. McKethan, hereby certify that on this 23rd day of November, 1994, copies of the above-referenced **MOTION TO AMEND CAPTION** were hand-delivered or mailed, first-class, postage prepaid, to the following:

Administrative Law Judge John M. Frysiak*
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Pamela R. McKethan

* HAND DELIVERED